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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,078	02/15/2002	William Bolick	PBOLIWC	6922

7590 07/08/2003

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EXAMINER
KIM, CHONG HWA

ART UNIT	PAPER NUMBER
3682	

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/078,078	BOLICK, WILLIAM	
	Examiner	Art Unit	
	Chong H. Kim	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) *2-5* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group I, Figs. 1, 2, and 4, in Paper No. 7 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Claims 2-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 7.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control, for controlling a cable 12, the cable having a portion within the transversely moving cable control 17, segments outside the transversely moving cable control, and original position for all portions and segments of the cable before the transversely moving cable control has been activated, which comprises;

a means 23 for transversely moving the portion of the cable which is within the transversely moving cable control to create a pulling force upon one end 12' of the cable; and

a means 24 for maintaining the segments of the cable which are outside the transversely moving cable control substantially in the originally positions of such segments.

5. Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control for controlling a cable 12, the cable having segments in original position before the transversely moving cable control has been activated, which comprises;

a hollow base plate 16 to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original position (as shown in Fig. 1 inside the section 24) of such segments of the cable;

a means 23, 24 for transversely moving an intermediate portion of the cable to create a pulling force upon one end of the cable and for maintaining a second segment of the cable which lies outside the transversely moving cable control in substantially the original position of such second segment of the cable;

wherein the means for transverse movement and maintaining the second segment in substantially the original position of such cable comprises;

a cable guide 24 attached to the hollow base plate to maintain the segment of the cable (in the region where reference number 13 is indicated in Fig. 1) which lies outside the hollow base plate beyond the cable guide in substantially the original position of the cable;

a lever 14 rotatably attached to the hollow base plate;

a pulley 23, the pulley having a pivot 25, attached to the lever across which pulley the cable runs so that when the lever is rotated away from the base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating the pulling force on one end of the cable;

an exit aperture (at the upper portion of the lever 14 as shown in Fig. 1) in the lever to maintain the segment of the cable which lies outside hollow base plate beyond the exit aperture in substantially the original position of the cable;

wherein the pulley is removably attached to the lever; and

a channel (the hole wherein the pins 25 of the pulley are inserted therein) in the lever within which the pivot of the pulley can be releasably fastened, released, moved, and releasably fastened again.

6. Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control for controlling a cable 12, the cable having segments in original position before the transversely moving cable control has been activated and the cable having a first end 12', which comprises;

a hollow base plate 16 to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original position (as shown in Fig. 1 inside the section 24) of such segments of the cable; and

a means 23, 24 for transversely moving an intermediate portion of the cable to create a pulling force upon one end of the cable, the means for transverse movement being adapted for attachment of the first end of the cable;

wherein the means for transverse movement adapted for attachment of the first end of the cable comprising;

a cable guide 24 attached to the hollow base plate to maintain the segment of a cable which lies outside the hollow base plate beyond the cable guide in substantially the original position of the cable;

a lever 14 adapted for attachment of the first end of the cable and rotatably attached to the hollow base plate;

a pulley 23, the pulley having a pivot 25, attached to the lever across which pulley the cable runs so that when the lever is rotated away from the base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating the pulling force on one end of the cable;

wherein the pulley is removably attached to the lever; and

a channel (the hole wherein the pins 25 of the pulley are inserted therein) in the lever within which the pivot of the pulley can be releasably fastened, released, moved, and releasably fastened again.

7. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a process for exerting a control force at one or more ends of a cable, the cable having an intermediate portion and outer segments in original positions before the process commences, which comprises;

transversely moving an intermediate portion of the cable to create a pulling force upon one or both ends of the cable (by the pulley 23); and

simultaneously maintaining the outer segments of the cable substantially in the original positions of such segments (by the guide 24).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cable operating systems that actuates cable in transverse direction.

Arens, U.S. Patent 2,324,475
Beres et al., U.S. Patent 4,508,497
Lauer, U.S. Patent 5,067,365
Hawkins et al., U.S. Patent 5,540,304
Lichtenberg, U.S. Patent 5,555,769
Perisho et al., U.S. Patent 5,611,249
Taomo et al., U.S. Patent 5,758,546

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chong H. Kim whose telephone number is (703) 305-0922. The examiner can normally be reached on Monday - Friday; 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on (703) 308-3668. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

chk
June 28, 2003

CHONG H. KIM
PRIMARY EXAMINER